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Liaison Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE BEA, INC. DERIVATIVE
LITIGATION

Master File No. C-06-4459 (RMW)

This Document Relates To:

ALL ACTIONS

**STIPULATION AND []
ORDER EXTENDING THE FILING
DATE FOR THE OPPOSITION TO
THE MOTION TO DISMISS**

WHEREAS, on November 9, 2007, Plaintiffs filed a Second Amended Consolidated Shareholder Class and Derivative Complaint (the "SAC");

WHEREAS, on January 28, 2008, Nominal Defendant BEA Systems and Defendants Thomas M. Ashburn, Carol A. Bartz, Barbara J. Britton, Mark T. Carges, Sam Cece, Alfred S. Chuang, William T. Coleman, Mark P. Dentinger, Matthew S. Green, Stewart K.P. Gross, William M. Klein, Ivan M. Koon, William H. Janeway, Joseph H. Menard, Dean Morton, Tod Nielsen, Edward W. Scott, Jr., Robert A. Shipp and Deborah Stanley (collectively, "Defendants") filed their Corrected Motions to Dismiss the SAC;

1 WHEREAS, a hearing has been scheduled for May 2, 2008 at 9 a.m. on the pending
2 Motions to Dismiss;

3 WHEREAS, the Parties have had numerous discussions related to the resolution of this
4 action, as well as the Oracle merger, and such discussions continue; and

5 WHEREAS, plaintiffs have requested, and defendants agree with the request, three
6 additional days to prepare and file their opposition to Defendants' Motions to Dismiss .

7 THEREFORE, the Parties stipulate, subject to the approval of the Court, to the following:

- 8 1. Plaintiffs' time to file an opposition to Defendants' Motions to Dismiss shall be
9 extended to March 20, 2008.

10 IT IS SO STIPULATED.

11 DATED: March 17, 2008

SCHUBERT & REED LLP

12 /s/

13 Robert C. Schubert
14 Juden Justice Reed
15 Willem F. Jonckheer
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27 Lead Counsel for Plaintiffs

1 DATED: March 17, 2008

WILSON SONSINI
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2
3 /s/ Ignacio E. Salceda
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6 *Counsel for Nominal Defendant BEA Systems,*
7 *Inc. and Defendants Thomas M. Ashburn, Carol*
8 *A. Bartz, Barbara J. Britton, Mark T. Carges,*
9 *Sam Cece, Alfred S. Chuang, William T.*
10 *Coleman, Mark P. Dentinger, Matthew S. Green,*
11 *Stewart K.P. Gross, William M. Klein, Ivan M.*
12 *Koon, William H. Janeway, Joseph H. Menard,*
13 *Dean Morton, Tod Nielsen, Edward W. Scott, Jr.,*
14 *Robert A. Shipp and Deborah Stanley*

15 **Attestation Pursuant To General Order 45**

16 I, Willem F. Jonckheer, attest that concurrence in the filing of this document has been obtained
17 from the other signatory. I declare under penalty of perjury under the laws of the United States that
18 the foregoing is true and correct. Executed this 17th day of March, 2008 at San Francisco,
19 California.

20 * * *

21 **ORDER**

22 PURSUANT TO STIPULATION, IT IS SO ORDERED.

23 DATED: 4/10/08

24 Ronald M. Whyte
The Hon. Ronald M. Whyte
United States District Court Judge